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**Skagit County Planning & Development Services**



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**SKAGIT COUNTY PLANNING & DEVELOPMENT SERVICES  
FINDINGS OF FACT**

P67108

**HEARING AUTHORITY:** SKAGIT COUNTY PLANNING DIRECTOR

**APPLICATION NUMBER:** ADMINISTRATIVE DECISION PLo8-0219

**APPLICANT:** CURTIS & MARY ANN FENIMORE

**ADDRESS:** 17132 LAKE VIEW BLVD  
MOUNT VERNON, WA 98274-8175

**PROJECT LOCATION:** Located at 17132 Lake View Boulevard, Mount Vernon, within a portion of Section 36, Township 34 North, Range 04 East W.M., Skagit County, Washington. The property is a platted parcel, bordering Big Lake to the west. There is an existing single family residence and existing carport. The lot measures approximately 92.11/80.98 feet long by 69.45 feet wide. It is bordered on the east by a 40-foot County road easement named Lake View Boulevard.

**PROJECT DESCRIPTION:** The applicant requests an Administrative reduction in setback (Administrative Variance) for the remodel of the existing residential structure. The remodeled residential structure is proposed to be located 14 feet off of the east (front) property line along Lake View Boulevard, approximately 50 feet off of the west (rear/lakeside) property line, approximately 8 foot 2 inches off of the north (side) property line and approximately 3 foot, 6 inches off of the south (side) property line. The remodel also involves the existing attached carport structure. The proposal for the carport is to create and replace it with an enclosed garage to be located 20 feet off of the east (front) property line along Lake View Boulevard. This is worth mentioning as the replacement carport/garage will be located further back than the existing carport location of 17.6 feet to a setback of 20 feet. The

replacement garage is required by Skagit County Public Works to be located 20 feet from Lake View Boulevard. The Skagit County Code (SCC) section 14.16.310(5)(a) requires a minimum front setback of 25 feet (for minor access), 8 foot side yard setbacks, and a 25 foot setback off of the rear property line for residential structures and 35 feet front setback for Accessory (carport/garage).

Skagit County Code (SCC) section 14.16.310(5)(e) indicates a Maximum Lot Coverage of 50%. Over the whole lot, the resulting developed area (including the remodeled residential structure, to replace the existing residential structure) will be 30.5 percent.

**ASSESSOR'S ACCOUNT #:** 3941-000-044-0004

**PARCEL #:** P67108

**ZONING/ COMPREHENSIVE PLAN:** The proposed project is located within a Rural Village Residential Zoning/Comprehensive Plan designated area as identified within the Skagit County Comprehensive Plan and associated maps as adopted October 10, 2007. The application was accepted as complete on May 13, 2008, and is vested under the Comprehensive Plan & Zoning regulations in effect at that time.

**SITE DESCRIPTION:** The project site is located at 17132 Lake View Boulevard located on the shoreline of Big Lake. The subject site is accessed off Lake View Boulevard by a gravel driveway leading to a carport. The subject site slopes downhill approximately 10-15% from Lake View Boulevard to the shoreline of Big Lake. The entire site is landscaped with lawn and native plant species.

**DEPARTMENTAL FINDINGS:** Pursuant to 14.16.810(4), the Administrative Official may reduce the required front, side or rear setbacks where topography or critical areas or the lot's size and configuration impact the reasonable development of the property. To reduce the front or rear setback, the Administrative Official must determine that the public health, safety and welfare will be maintained. Consultation with the Public Works Department concerning traffic safety may be solicited during this analysis.

1. The subject property (P67108) measures approximately 69.45 feet in width along the north and south property line, approximately 92.11/80.98 feet in depth along the east and west property lines and occupies approximately 0.15 acre. The subject property is physically located on a minor access road, along the south side of Lake View Boulevard. The topography of the lot slopes down approximately 10 - 15% to the west-southwest from the road to the lake;



2. The lot's development is constrained by the existing lot size and critical areas present (Fish & Wildlife Habitat Conservation Areas, FWHCA));
3. The proposed residential structure and residential accessory structure will not be able to meet the current front setback requirements due to lot size and critical area regulations for critical area buffer of the shoreline of Big Lake consisting of a 50 foot buffer from the Ordinary High water mark. SCC Section 14.16.310(5)(a)(i) requires a 35 foot front setback for the attached garage and a 25 foot front setback for the residential structure, this is a 15 foot reduction request for the accessory structure and a 11 foot reduction request for the residential portion of the structure;
4. A letter of completeness was issued on May 14, 2008 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on May 15, 2008 per SCC Section 14.06.150. All property owners within 300 feet of the property were sent the Notice of Development. There was a fifteen-(15) day public comment period associated with the Notice which ended on May 30, 2008. No public comments were received in regard to this proposal;
5. The proposal was reviewed by Skagit County critical areas staff and by the Skagit County Shorelines Administrator. This review was conducted via PLO5-0460 a Shoreline Exemption for the construction of a bulkhead. A fish & wildlife habitat site assessment was prepared for that bulkhead application. The findings of the report indicate this proposal (bulkhead) will likely have no additional impact on the function and values of this shoreline area /or its associated buffer. Prior to approval of the building permit for this proposal, a Protected Critical Area (PCA) site plan will need to be created, approved by staff and then recorded at the County Auditor's office (SCC 14.24.160(1)(e)(ii)). All conditions of approval shall by this reference incorporated herein as though fully set forth;
6. The proposal was reviewed by the Skagit County Public Works Department. Public Works indicated that they will support the reduction of the front setback provided that the new garage setback will be 20 feet from the front property line;
7. Staff finds that the proposed reduction in setback request is reasonable due to the existing critical area (FWHCA) existing lot size, and the size of the existing lots in the immediate vicinity;
8. Staff finds that the requested setbacks would not create any problems with regard to the maintenance of public health, safety or welfare. The variance is the minimum that will make possible the reasonable use of the property. Additionally, no traffic safety concerns were identified with the proposal



and it will not injure the neighborhood or otherwise be detrimental to the public welfare.

**Decision:**

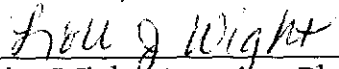
The Director hereby approves the Administrative Decision to allow reasonable use of the property subject to the conditions and modifications listed below:

1. The applicant shall obtain all necessary permits;
2. The building permits for the proposed structure(s) shall be issued in accordance with the approved reduction in setback as requested;
3. A copy of this decision shall be submitted with the building permit(s) at time of application;
4. Prior to building permit approval the applicant shall demonstrate the site coverage percentages for the building(s) and access areas on site. Please itemize those percentages (structure vs. access);
5. Two (2) off-street parking spots shall be provided in addition to the existing residential parking (existing carport/proposed replacement garage) prior to issuance of a certificate of occupancy. These parking locations shall be clearly identified (drawn out) on the site plan. The two locations are in addition to the proposed replacement garage. The garage does not fulfill the requirement of SCC 14.16.800. ***Additionally, per SCC 14.16.850(5) in no zoning district shall any portion of articles or vehicles be permitted to be stored in public rights-of-way.*** All vehicles placed in setbacks shall be currently licensed and registered;
6. Shall comply with SCC 14.16.800 Performance standards in relation to vibration, heat, glare & steam, electrical disturbance and noise;
7. ***Please be advised that this approval for reduction of setback is based on a limited review specific to the criteria for this application (14.16.810 (4) SCC). Other County requirements may alter your proposal and require revision to your plan to comply with all jurisdictional requirements for development;***
8. All fees must be paid prior to final approval;
9. All conditions of approval for Critical Areas review are adopted as conditions of approval for this Administrative Setback Reduction Variance;
10. The proposed replacement garage shall be located 20 feet from the front property line per Shane Whitney of Skagit County Public Works;



11. The residential portion of the proposed remodel shall be located no closer than 14 feet from the front property line/public right-of-way of Lake View Boulevard.

Prepared By:

  
Lori J. Wight, Associate Planner

Reviewed By:

  
Brandon Black, Senior Planner

Date of approval: June 17, 2008

The applicant and/or a party of record may appeal the decision of the Administrative Official to the Skagit County Hearing Examiner pursuant to the provisions of Section 14.06.110(7). Parties with standing to appeal must submit the appeal form and appeal fees to the Planning and Development Services within 14 calendar days of the publication of this Notice pursuant to SCC 14.06.110.

